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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:

Hector F. DeLuca et al

Application No.: 09/871,227

Filed: May 31, 2001

Group Art Unit: 1616

Examiner: Barbara P. Badio

2-ETHYL AND 2-ETHYLDENE-19-
NOR-VITAMIN D COMPOUNDS

) CERTIFICATE OF MAILING

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)
Dorothy A. Hauser October 31, 2002
Dorothy A. Hauser Date

)

RESPONSE TO ELECTION/RESTRICTION REQUIREMENT

Box: Response
Commissioner of Patents
Washington, D.C. 20231

Sir:

In response to the Patent Office Action dated October 2, 2002, please enter the following in the above-identified patent application:

ELECTION/RESTRICTION:

Applicant herein elects to prosecute claims 1-56 drawn to compounds and compositions. Applicant also elects compound 5b set forth in the specification as the species to be searched. Compound 5b is illustrated on page 32 of the specification and its chemical name is 19-nor-2(Z)-ethylidene-20(S)-1 α ,25-dihydroxyvitamin D₃. Claims 8 and 51-56 read on the elected species.

IN THE CLAIMS:

Please cancel claims 57-116.

Application No.: 09/871,227

REMARKS

In the Office Action dated October 2, 2002, pending claims 1-116 were subjected to an election/restriction requirement. The Examiner required restriction to one of 12 different groups of inventions. The Examiner also required Applicant to elect a single disclosed species from within the elected group for search purposes.

In response, Applicant has herein elected Group I, i.e. claims 1-56 drawn to compounds and compositions. Applicant has also cancelled the remaining claims 57-116. Finally, Applicant has elected compound 5b, namely 19-nor-2(Z)-ethylidene-20(S)- $1\alpha,25$ -dihydroxyvitamin D₃ as the disclosed species in Group I for searching purposes.

As Applicant believes it has complied with the Examiner's election/restriction requirement, examination on the merits of the elected claims is requested.

Respectfully submitted,

ANDRUS, SCEALES, STARKE & SAWALL, LLP

By Thomas M. Wozny
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Please type a plus sign (+) inside this box →

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TRANSMITTAL FORM

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Total Number of Pages in This Submission

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09/871,227

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05-31-2001

First Named Inventor

Hector F. DeLuca

Group Art Unit

1616

Examiner Name

Barbara P. Radio

Attorney Docket Number

1256-00765

ENCLOSURES (check all that apply)

- Fee Transmittal Form
- Fee Attached
- Amendment / Reply
 - After Final
 - Affidavits/declaration(s)
- Extension of Time Request
- Express Abandonment Request
- Information Disclosure Statement
- Certified Copy of Priority Document(s)
- Response to Missing Parts/ Incomplete Application
 - Response to Missing Parts under 37 CFR 1.52 or 1.53
- Request to Rescind Previous Nonpublication Request

- Assignment Papers (for an Application)
- Drawing(s)
- Licensing-related Papers
- Petition
- Petition to Convert to a Provisional Application
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- After Allowance Communication to Group
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Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Thomas M. Wozny ANDRUS, SCEALES, STARKE & SAWALL, LLP	(Reg. No. 28,992)
Signature		
Date	10-31-2002	

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